



PATENT

ATTORNEY DOCKET NO.: FMC-2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Thomas M. Floyd, Jr.) Examiner: Unknown
S/N: 10/721,807) Art Unit: 3727
Filed: 11/25/2003) Conf. No.: 6207
Title: Multi-wall Bag)

STATEMENT UNDER 37 CFR §1.97 ACCOMPANYING
INFORMATION DISCLOSURE STATEMENT

Mail Stop IDS
Commissioner for Patents
P O Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby certifies that:

37 CFR §1.97(b)

☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office action after the filing of a request for continued examination under 37 CFR 1.114.

37 CFR §1.97(c)

☐ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b) provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

☐ the statement specified in 37 CFR 1.97(e); OR

☐ the fee set forth in 37 CFR 1.17(p).

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37 CFR §1.97 (d)

 / The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(d), and on or before payment of the issue fee, and is accompanied by the Statement as specified in 37 CFR 1.97(e) and the fee set forth in 37 CFR 1.17(p).

37 CFR §1.97(e)

 / Statement under 37 CFR 1.97(e)(1) – Each item of information contained in the accompanying Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

 / Statement under 37 CFR 1.97(e)(2) – No item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersign person, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

Please charge any additional fees required or credit any overpayments to Deposit Account No. 50-2802.

Respectfully submitted,

ROBERTSON & MULLINAX, LLC



J. Bennett Mullinax
Reg. No. 36,221

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Stop IDS, Commissioner of Patents, P O Box 1450, Alexandria, VA 22313-1450 on

March 17, 2004

(Date)



(Signature)

Peggy S. Baker

(Typed name of person signing)

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COMMUNICATION REGARDING 37 CFR §1.97
INFORMATION DISCLOSURE STATEMENT

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Alexandria, VA 22313-1450

Dear Sir:

With respect to the accompanying Information Disclosure Statement, Applicant would like to direct the Examiner's attention to the *Paper Shipping Sack Reference Guide* publication. Specifically, on pages 12 and 13, various types of paper and barrier coatings are described. Applicant notes that oriented polypropylene is listed as a common barrier material. Applicant respectfully submits that the oriented polypropylene discussed therein is the inner barrier layer adjacent the paper sack contents. As noted further on page 13, this reference states that "barrier plies do not usually contribute significantly to the overall strength of the paper sack."

As such, Applicant respectfully submits that reference is directed solely to the known teachings of the art of applying barrier coatings such as oriented polypropylene as an innermost layer of a sack. Applicant's claimed subject matter is directed to improved paper strength and barrier combinations for an outer ply of a multi-wall bag.

Respectfully submitted,
ROBERTSON & MULLINAX, LLC

J. Bennett Mullinax
Reg. No. 36,221



(Use as many sheets as necessary)

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| Sheet | 1 | of | 2 |
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Complete if Known

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|------------------------|----------------------|
| Application Number | 10/721,807 |
| Filing Date | 11/25/2003 |
| First Named Inventor | Thomas M. Floyd, Jr. |
| Art Unit | 3727 |
| Examiner Name | Unknown |
| Attorney Docket Number | FMC-2 |

U. S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

**Examiner
Signature**

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

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| Application Number | 10/721,807 |
| Filing Date | 11/25/2003 |
| First Named Inventor | Thomas M. Floyd, Jr. |
| Art Unit | 3727 |
| Examiner Name | Unknown |
| Attorney Docket Number | FMC-2 |

Sheet 2 of 2

NON PATENT LITERATURE DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
|-----------------------|--------------------------|---|----------------|
| | | Reference Guide For The Paper Shipping Sack Industry, Paper Shipping Sack Manufacturers' Association, Inc., Tarrytown, NY, 1991 | |
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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